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Clerk, U.S. District Court
District Of Montana
Great Falls

**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**ANDREW JOSEPH SHIELDS and
THOMAS JOSEPH DURAN,**

Defendants.

CR 22- 56 -M- DWM

INDICTMENT

**CONSPIRACY TO POSSESS WITH THE
INTENT TO DISTRIBUTE
CONTROLLED SUBSTANCES**

Title 21 U.S.C. § 846

(Count 1)

**(Penalty for methamphetamine and
fentanyl: Mandatory minimum ten years to
life imprisonment, \$10,000,000 fine, and at
least five years of supervised release)**

**POSSESSION WITH THE INTENT TO
DISTRIBUTE CONTROLLED
SUBSTANCES**

**Titles 21 U.S.C. § 841(a)(1) and
18 U.S.C. § 2**

(Count 2)

**(Penalty for methamphetamine:
Mandatory minimum ten years to life
imprisonment, \$10,000,000 fine, and at
least five years of supervised release)
(Penalty for fentanyl: Mandatory
minimum five to 40 years of imprisonment,
\$5,000,000 fine, and at least four years of
supervised release)**

**POSSESSION OF A FIREARM IN
FURTHERANCE OF A DRUG
TRAFFICKING CRIME**

(Count 3)

**Title 18 U.S.C. § 924(c)(1)(A)(i)
(Penalty: Mandatory minimum five years
to life imprisonment, consecutive to any
other sentence, \$250,000 fine, and five
years of supervised release)**

**PROHIBITED PERSON IN POSSESSION
OF A FIREARM**

(Count 4)

**Title 18 U.S.C. § 922(g)(1)
(Penalty: Ten years of imprisonment,
\$250,000 fine, and three years of
supervised release)**

**POSSESSION OF A FIREARM WITH
OBLITERATED SERIAL NUMBER**

(Count 5)

**Title 18 U.S.C. § 922(k)
(Penalty: Ten years of imprisonment,
\$250,000 fine, and three years of
supervised release)**

	FORFEITURE Title 21 U.S.C. §§ 853, 881 Title 18 U.S.C. § 924(d) TITLE 21 PENALTIES MAY BE ENHANCED FOR PRIOR DRUG- RELATED FELONY CONVICTIONS
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THE GRAND JURY CHARGES:

COUNT 1

Beginning in approximately Spring of 2022, and continuing until approximately June 24, 2022, in Lake and Flathead Counties, in the State and District of Montana, and elsewhere, the defendants, ANDREW JOSEPH SHIELDS and THOMAS JOSEPH DURAN, knowingly and unlawfully conspired with each other, and others both known and unknown to the Grand Jury, to distribute, in violation of 21 U.S.C. § 841(a)(1), 50 grams or more of actual methamphetamine, a Schedule II controlled substance, and 400 grams or more of a substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as “fentanyl,” a Schedule II controlled substance, in violation of 21 U.S.C. § 846.

COUNT 2

On or about June 24, 2022, in Lake County, in the State and District of Montana, and elsewhere, the defendants, ANDREW JOSEPH SHIELDS and

THOMAS JOSEPH DURAN, knowingly and unlawfully possessed with the intent to distribute, 50 grams or more of actual methamphetamine, a Schedule II controlled substance, and 40 grams or more of a substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as “fentanyl,” a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

COUNT 3

On or about June 24, 2022, in Lake County, in the State and District of Montana, and elsewhere, the defendant, ANDREW JOSEPH SHIELDS, did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, namely conspiracy to possess with the intent to distribute controlled substances and possession with intent to distribute controlled substances, as alleged in counts 1 and 2 above, in violation of 18 U.S.C. § 924(c)(1)(A)(i).

COUNT 4

On or about June 24, 2022, in Lake County, in the State and District of Montana, and elsewhere, the defendant, ANDREW JOSEPH SHIELDS, knowing he had been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, in

violation of 18 U.S.C. § 922(g)(1).

COUNT 5

On or about June 24, 2022, in Lake County, in the State and District of Montana, and elsewhere, the defendant, ANDREW JOSEPH SHIELDS, knowingly possessed a firearm that had been shipped and transported in interstate commerce, from which the manufacturer's serial number had been removed, altered, and obliterated, in violation of 18 U.S.C § 922(k).

FORFEITURE ALLEGATION

Upon conviction of either the offenses set forth in counts 1 and 2 in this indictment, the defendant, ANDREW JOSEPH SHIELDS, shall forfeit, pursuant to 21 U.S.C. § 853(a)(1) and (2), and 21 U.S.C. § 881(a)(11): (1) any property constituting and derived from any proceeds obtained, directly and indirectly, as a result of the commission of said offense; (2) any property used and intended to be used, in any manner and part, to commit, and facilitate the commission of, said offense; and (3) any firearm used and intended to be used to facilitate the transportation, sale, receipt, possession, and concealment of controlled substances and any proceeds traceable to such property.

Upon conviction of any of the offenses set forth in counts 3, 4, and 5 in this indictment, the defendant, ANDREW JOSEPH SHIELDS, shall forfeit, pursuant to

18 U.S.C. § 924(d), any firearms and ammunition involved in any knowing violation of said offense.

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON



JESSE A. LASLOVICH
United States Attorney



CYNDEE L. PETERSON
Criminal Chief Assistant U.S. Attorney